

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ALEXANDER A. OYENUGA,)	
Petitioner,)	
)	
v.)	C.A. No. 05-10170-PBS
)	
ATTORNEY GENERAL JOHN)	
ASHCROFT, et al,)	
Respondents.)	

ORDER FOR STAY OF REMOVAL

By Memorandum and Order dated March 25, 2005, this Court ordered the Government to explain why petitioner, an immigration detainee now confined to the Plaquemine Parish Detention Center in Braithwaite, Louisiana, has been transferred three times in fifteen months and/or to stipulate if the Court transfers the case to Louisiana, petitioner will not be transferred again. See 3/25/05 Order, Docket No. 9. The Government's reply is due Monday, April 4, 2005.

Late yesterday afternoon, a clerk of this Court received a telephone call from petitioner stating that the Nigerian consulate plans to issue travel documents for his removal on April 12, 2005 and that he now seeks a stay of removal.

Based upon the limited record before me, I find that the harm Mr. Oyenuga would suffer from immediate removal is great relative to any harm to the Government. See Arevalo v. Ashcroft, 344 F. 3d 1, 7-9 (1st Cir. 2003). Because petitioner faces irreparable harm absent the injunction, it is hereby

ORDERED, a temporary stay of removal is GRANTED; and it is further

ORDERED, the Clerk shall send a copy of this Order for Stay of Removal by facsimile and by regular mail to (1) counsel for the Department of Homeland Security; (2) Mr. Ahmed Umar, Consulate of the Federal Republic of Nigeria, 3519 International Court, NW, Washington, D.C. 20008. The Clerk shall also send a copy of this order by regular mail to Warden Orbon Tinson, Plaquemine Parish Detention Center, 110 Prison Road, Braithwaite, Louisiana, 70040. SO ORDERED.

Dated at Boston, Massachusetts, this 31st day of March, 2005.

/s/ Patti B. Saris
Patti B. Saris
UNITED STATES DISTRICT JUDGE